

110TH CONGRESS
1ST SESSION

S. 613

To enhance the overseas stabilization and reconstruction capabilities of the United States Government, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2007

Mr. LUGAR (for himself and Mr. BIDEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To enhance the overseas stabilization and reconstruction capabilities of the United States Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reconstruction and
5 Stabilization Civilian Management Act of 2007”.

6 **SEC. 2. FINDING; PURPOSE.**

7 (a) FINDING.—Congress finds that the resources of
8 the United States Armed Forces have been burdened by
9 having to undertake stabilization and reconstruction tasks
10 in the Balkans, Afghanistan, Iraq, and other countries of

1 the world that could have been performed by civilians,
2 which has resulted in lengthy deployments for Armed
3 Forces personnel.

4 (b) PURPOSE.—The purpose of this Act is to provide
5 for the continued development, as a core mission of the
6 Department of State and the United States Agency for
7 International Development, of an effective expert civilian
8 response capability to carry out reconstruction and sta-
9 bilization activities in a country or region that is at risk
10 of, in, or is in transition from, conflict or civil strife.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) ADMINISTRATOR.—The term “Adminis-
14 trator” means the Administrator of the United
15 States Agency for International Development.

16 (2) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Relations of
20 the Senate; and

21 (B) the Committee on Foreign Affairs of
22 the House of Representatives.

23 (3) DEPARTMENT.—Except as otherwise pro-
24 vided in this Act, the term “Department” means the
25 Department of State.

1 (4) EXECUTIVE AGENCY.—The term “executive
2 agency” has the meaning given that term in section
3 105 of title 5, United States Code.

4 (5) SECRETARY.—The term “Secretary” means
5 the Secretary of State.

6 **SEC. 4. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the civilian element of United States joint
9 civilian-military operations should be strengthened in
10 order to enhance the execution of current and future
11 reconstruction and stabilization activities in foreign
12 countries or regions that are at risk of, in, or are
13 in transition from, conflict or civil strife;

14 (2) the capability of civilian agencies of the
15 United States Government to carry out reconstruc-
16 tion and stabilization activities in such countries or
17 regions should also be enhanced through a new rapid
18 response corps of civilian experts supported by the
19 establishment of a new system of planning, organiza-
20 tion, personnel policies, and education and training,
21 and the provision of adequate resources;

22 (3) the international community, including non-
23 governmental organizations, and the United Nations
24 and its specialized agencies, should be further en-
25 couraged to participate in planning and organizing

1 reconstruction and stabilization activities in such
2 countries or regions;

3 (4) the executive branch has taken a number of
4 steps to strengthen civilian capability, including the
5 establishment of an office headed by a Coordinator
6 for Reconstruction and Stabilization in the Depart-
7 ment, the Presidential designation of the Secretary
8 as the interagency coordinator and leader of recon-
9 struction and stabilization efforts, and Department
10 of Defense directives to the military to support the
11 Office of Reconstruction and Stabilization and to
12 work closely with counterparts in the Department of
13 State and other civilian agencies to develop and en-
14 hance personnel, training, planning, and analysis;

15 (5) the Secretary and the Administrator should
16 work with the Secretary of Defense to augment ex-
17 isting personnel exchange programs among the De-
18 partment, the United States Agency for Inter-
19 national Development, and the Department of De-
20 fense, including the regional commands and the
21 Joint Staff, to enhance the stabilization and recon-
22 struction skills of military and civilian personnel and
23 their ability to undertake joint operations; and

24 (6) the heads of other executive agencies should
25 establish personnel exchange programs that are de-

1 signed to enhance the stabilization and reconstruc-
2 tion skills of military and civilian personnel.

3 **SEC. 5. AUTHORITY TO PROVIDE ASSISTANCE FOR RECON-**
4 **STRUCTION AND STABILIZATION CRISES.**

5 Chapter 1 of part III of the Foreign Assistance Act
6 of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting
7 after section 617 the following new section:

8 **“SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STA-**
9 **BILIZATION CRISIS.**

10 “(a) ASSISTANCE.—

11 “(1) IN GENERAL.—If the President determines
12 that it is important to the national interests of the
13 United States for United States civilian agencies or
14 non-Federal employees to assist in stabilizing and
15 reconstructing a country or region that is at risk of,
16 in, or is in transition from, conflict or civil strife, the
17 President may, in accordance with the provisions set
18 forth in section 614(a)(3), notwithstanding any
19 other provision of law, and on such terms and condi-
20 tions as the President may determine, furnish assist-
21 ance to respond to the crisis using funds referred to
22 in paragraph (2).

23 “(2) FUNDS.—The funds referred to in this
24 paragraph are funds as follows:

1 “(A) Funds made available under this sec-
2 tion, including funds authorized to be appro-
3 priated by subsection (d).

4 “(B) Funds made available under other
5 provisions of this Act and transferred or repro-
6 grammed for purposes of this section.

7 “(b) SPECIAL AUTHORITIES.—In furtherance of a de-
8 termination made under subsection (a), the President may
9 exercise the authorities contained in sections 552(c)(2)
10 and 610 without regard to the percentage and aggregate
11 dollar limitations contained in such sections.

12 “(c) AVAILABILITY OF FUNDS FOR RESPONSE READ-
13 INESS CORPS.—Of the funds made available for this sec-
14 tion in any fiscal year, including funds authorized to be
15 appropriated by subsection (d) and funds made available
16 under other provisions of this Act and transferred or re-
17 programmed for purposes of this section, \$25,000,000
18 may be made available for expenses related to the develop-
19 ment, training, and operations of the Response Readiness
20 Corps established under section 61(c) of the State Depart-
21 ment Basic Authorities Act of 1956.

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) AUTHORIZATION.—There is authorized to
24 be appropriated \$75,000,000 to provide assistance
25 authorized in subsection (a) and, to the extent au-

1 thorized in subsection (c), for the purpose described
 2 in subsection (c). Such amount is in addition to
 3 amounts otherwise made available for purposes of
 4 this section, including funds made available under
 5 other provisions of this Act and transferred or repro-
 6 grammed for purposes of this section.

7 “(2) REPLENISHMENT.—There is authorized to
 8 be appropriated each fiscal year such sums as may
 9 be necessary to replenish funds expended under this
 10 section.

11 “(3) AVAILABILITY.—Funds authorized to be
 12 appropriated under this subsection shall be available
 13 without fiscal year limitation.”.

14 **SEC. 6. OFFICE OF THE COORDINATOR FOR RECONSTRUC-**
 15 **TION AND STABILIZATION.**

16 Title I of the State Department Basic Authorities Act
 17 of 1956 (22 U.S.C. 2651 et seq.) is amended by adding
 18 at the end the following new section:

19 **“SEC. 61. RECONSTRUCTION AND STABILIZATION.**

20 “(a) OFFICE OF THE COORDINATOR FOR RECON-
 21 STRUCTION AND STABILIZATION.—

22 “(1) ESTABLISHMENT.—There is established
 23 within the Department of State the Office of the Co-
 24 ordinator for Reconstruction and Stabilization.

1 “(2) COORDINATOR FOR RECONSTRUCTION AND
2 STABILIZATION.—The head of the Office shall be the
3 Coordinator for Reconstruction and Stabilization,
4 who shall be appointed by the President, by and
5 with the advice and consent of the Senate. The Co-
6 ordinator shall report directly to the Secretary and
7 shall have the rank and status of Ambassador at
8 Large.

9 “(3) FUNCTIONS.—The functions of the Office
10 of the Coordinator for Reconstruction and Stabiliza-
11 tion include the following:

12 “(A) Monitoring, in coordination with rel-
13 evant bureaus within the Department of State,
14 political and economic instability worldwide to
15 anticipate the need for mobilizing United States
16 and international assistance for the stabilization
17 and reconstruction of countries or regions that
18 are at risk of, in, or are in transition from, con-
19 flict or civil strife.

20 “(B) Assessing the various types of sta-
21 bilization and reconstruction crises that could
22 occur and cataloging and monitoring the non-
23 military resources and capabilities of Executive
24 agencies that are available to address such cri-
25 ses.

1 “(C) Planning to address requirements,
2 such as demobilization, policing, human rights
3 monitoring, and public information, that com-
4 monly arise in stabilization and reconstruction
5 crises.

6 “(D) Coordinating with relevant Executive
7 agencies (as that term is defined in section 105
8 of title 5, United States Code) to develop inter-
9 agency contingency plans to mobilize and deploy
10 civilian personnel to address the various types
11 of such crises.

12 “(E) Entering into appropriate arrange-
13 ments with other Executive agencies to carry
14 out activities under this section and the Recon-
15 struction and Stabilization Civilian Manage-
16 ment Act of 2007.

17 “(F) Identifying personnel in State and
18 local governments and in the private sector who
19 are available to participate in the Response
20 Readiness Corps established under subsection
21 (c) or to otherwise participate in or contribute
22 to stabilization and reconstruction activities.

23 “(G) Taking steps to ensure that training
24 of civilian personnel to perform such stabiliza-
25 tion and reconstruction activities is adequate

1 and, as appropriate, includes security training
2 that involves exercises and simulations with the
3 Armed Forces, including the regional com-
4 mands.

5 “(H) Sharing information and coordi-
6 nating plans for stabilization and reconstruction
7 activities, as appropriate, with the United Na-
8 tions and its specialized agencies, the North At-
9 lantic Treaty Organization, nongovernmental
10 organizations, and other foreign national and
11 international organizations.

12 “(I) Coordinating plans and procedures for
13 joint civilian-military operations with respect to
14 stabilization and reconstruction activities.

15 “(J) Maintaining the capacity to field on
16 short notice an evaluation team to undertake
17 on-site needs assessment.

18 “(b) RESPONSE TO STABILIZATION AND RECON-
19 STRUCTION CRISIS.—If the President makes a determina-
20 tion regarding a stabilization and reconstruction crisis
21 under section 618 of the Foreign Assistance Act of 1961,
22 the President may designate the Coordinator, or such
23 other individual as the President may determine appro-
24 priate, as the Coordinator of the United States response.
25 The individual so designated, or, in the event the Presi-

1 dent does not make such a designation, the Coordinator
 2 for Reconstruction and Stabilization, shall—

3 “(1) assess the immediate and long-term need
 4 for resources and civilian personnel;

5 “(2) identify and mobilize non-military re-
 6 sources to respond to the crisis; and

7 “(3) coordinate the activities of the other indi-
 8 viduals or management team, if any, designated by
 9 the President to manage the United States re-
 10 sponse.”.

11 **SEC. 7. RESPONSE READINESS CORPS.**

12 (a) IN GENERAL.—Section 61 of the State Depart-
 13 ment Basic Authorities Act of 1956 (as added by section
 14 6) is amended by adding at the end the following new sub-
 15 section:

16 “(c) RESPONSE READINESS CORPS.—

17 “(1) IN GENERAL.—The Secretary, in consulta-
 18 tion with the Administrator of the United States
 19 Agency for International Development and the heads
 20 of other appropriate departments and agencies of
 21 the United States Government, is authorized to es-
 22 tablish and maintain a Response Readiness Corps
 23 (hereafter referred to in this subsection as the
 24 ‘Corps’) to provide assistance in support of stabiliza-
 25 tion and reconstruction activities in foreign countries

1 or regions that are at risk of, in, or are in transition
2 from, conflict or civil strife.

3 “(2) FEDERAL COMPONENTS.—

4 “(A) ACTIVE AND STANDBY COMPO-
5 NENTS.—The Corps shall have active and
6 standby components consisting of United States
7 Government personnel as follows:

8 “(i) An active component, consisting
9 of not more than 250 personnel who are
10 recruited, employed, and trained in accord-
11 ance with this paragraph.

12 “(ii) A standby component, consisting
13 of not more than 2000 personnel who are
14 recruited and trained in accordance with
15 this paragraph.

16 “(B) AUTHORIZED MEMBERS OF STANDBY
17 COMPONENT.—Personnel in the standby compo-
18 nent of the Corps may include employees of the
19 Department of State (including Foreign Service
20 Nationals), employees of the United States
21 Agency for International Development, employ-
22 ees of any other executive agency (as that term
23 is defined in section 105 of title 5, United
24 States Code), and employees of the legislative
25 branch and judicial branch of Government—

1 “(i) who are assigned to the standby
2 component by the Secretary following nom-
3 ination for such assignment by the head of
4 the department or agency of the United
5 States Government concerned or by an ap-
6 propriate official of the legislative or judi-
7 cial branch of Government, as applicable;
8 and

9 “(ii) who—

10 “(I) have the training and skills
11 necessary to contribute to stabilization
12 and reconstruction activities; and

13 “(II) have volunteered for deploy-
14 ment to carry out stabilization and re-
15 construction activities.

16 “(C) RECRUITMENT AND EMPLOYMENT.—

17 The recruitment and employment of personnel
18 to the Corps shall be carried out by the Sec-
19 retary, the Administrator of the United States
20 Agency for International Development, and the
21 heads of the other departments and agencies of
22 the United States Government participating in
23 the establishment and maintenance of the
24 Corps.

1 “(D) TRAINING.—The Secretary is author-
 2 ized to train the members of the Corps under
 3 this paragraph to perform services necessary to
 4 carry out the purpose of the Corps under para-
 5 graph (1).

6 “(E) COMPENSATION.—Members of the
 7 active component of the Corps under subpara-
 8 graph (A)(i) shall be compensated in accord-
 9 ance with the appropriate salary class for the
 10 Foreign Service, as set forth in sections 402
 11 and 403 of the Foreign Service Act of 1980 (22
 12 U.S.C. 3962, 3963), or in accordance with the
 13 relevant authority under sections 3101 and
 14 3392 of title 5, United States Code.

15 “(3) CIVILIAN RESERVE.—

16 “(A) CIVILIAN RESERVE.—The Corps shall
 17 have a reserve (hereafter referred to in this
 18 subsection as the ‘Civilian Reserve’) of non-
 19 United States Government personnel who are
 20 trained and available as needed to perform serv-
 21 ices necessary to carry out the purpose of the
 22 Corps under paragraph (1). The Civilian Re-
 23 serve shall be established by the Secretary, in
 24 consultation with the Administrator of the
 25 United States Agency for International Develop-

1 ment and the heads of other appropriate de-
2 partments and agencies of the United States
3 Government.

4 “(B) COMPOSITION.—Beginning not later
5 than one year after the date of the enactment
6 of the Reconstruction and Stabilization Civilian
7 Management Act of 2007, the Civilian Reserve
8 shall include at least 500 personnel, who may
9 include retired employees of the United States
10 Government, contractor personnel, nongovern-
11 mental organization personnel, State and local
12 government employees, and individuals from the
13 private sector, who—

14 “(i) have the training and skills nec-
15 essary to enable them to contribute to sta-
16 bilization and reconstruction activities;

17 “(ii) have volunteered to carry out
18 stabilization and reconstruction activities;
19 and

20 “(iii) are available for training and
21 deployment to carry out the purpose of the
22 Corps under paragraph (1).

23 “(4) USE OF RESPONSE READINESS CORPS.—

24 “(A) FEDERAL ACTIVE COMPONENT.—
25 Members of the active component of the Corps

1 under paragraph (2)(A)(i) are authorized to be
2 available—

3 “(i) for activities in direct support of
4 stabilization and reconstruction activities;
5 and

6 “(ii) if not engaged in activities de-
7 scribed in clause (i), for assignment in the
8 United States, United States diplomatic
9 missions, and United States Agency for
10 International Development missions.

11 “(B) FEDERAL STANDBY COMPONENT AND
12 CIVILIAN RESERVE.—The Secretary may deploy
13 members of the Federal standby component of
14 the Corps under paragraph (2)(A)(ii), and
15 members of the Civilian Reserve under para-
16 graph (3), in support of stabilization and recon-
17 struction activities in a foreign country or re-
18 gion if the President makes a determination re-
19 garding a stabilization and reconstruction crisis
20 under section 618 of the Foreign Assistance
21 Act of 1961.”.

22 (b) EMPLOYMENT AUTHORITY.—The full-time per-
23 sonnel in the active component of the Response Readiness
24 Corps under section 61(c)(2)(A)(i) of the State Depart-
25 ment Basic Authorities Act of 1956 (as added by sub-

1 section (a)) are in addition to any other full-time per-
 2 sonnel of the Department or the United States Agency for
 3 International Development authorized to be employed
 4 under any other provision of law.

5 (c) REPORT.—Not later than 180 days after the date
 6 of the enactment of this Act, the Secretary shall submit
 7 to the appropriate congressional committees a report on
 8 the status of efforts to establish the Response Readiness
 9 Corps under this section. The report should include rec-
 10 ommendations for any legislation necessary to implement
 11 section 61(c) of the State Department Basic Authorities
 12 Act of 1956 (as so added).

13 **SEC. 8. STABILIZATION AND RECONSTRUCTION TRAINING**
 14 **AND EDUCATION.**

15 Section 701 of the Foreign Service Act of 1980 (22
 16 U.S.C. 4021) is amended—

17 (1) by redesignating subsection (g) as sub-
 18 section (h); and

19 (2) by inserting after subsection (f) the fol-
 20 lowing new subsection:

21 “(g) STABILIZATION AND RECONSTRUCTION CUR-
 22 RICULUM.—

23 “(1) ESTABLISHMENT AND MISSION.—The Sec-
 24 retary, in cooperation with the Secretary of Defense
 25 and the Secretary of the Army, is authorized to es-

1 tabish a stabilization and reconstruction curriculum
2 for use in programs of the Foreign Service Institute,
3 the National Defense University, and the United
4 States Army War College.

5 “(2) CURRICULUM CONTENT.—The curriculum
6 should include the following:

7 “(A) An overview of the global security en-
8 vironment, including an assessment of
9 transnational threats and an analysis of United
10 States policy options to address such threats.

11 “(B) A review of lessons learned from pre-
12 vious United States and international experi-
13 ences in stabilization and reconstruction activi-
14 ties.

15 “(C) An overview of the relevant respon-
16 sibilities, capabilities, and limitations of various
17 Executive agencies (as that term is defined in
18 section 105 of title 5, United States Code) and
19 the interactions among them.

20 “(D) A discussion of the international re-
21 sources available to address stabilization and
22 reconstruction requirements, including re-
23 sources of the United Nations and its special-
24 ized agencies, nongovernmental organizations,
25 private and voluntary organizations, and foreign

1 governments, together with an examination of
 2 the successes and failures experienced by the
 3 United States in working with such entities.

4 “(E) A study of the United States inter-
 5 agency system.

6 “(F) Foreign language training.

7 “(G) Training and simulation exercises for
 8 joint civilian-military emergency response oper-
 9 ations.”.

10 **SEC. 9. SERVICE RELATED TO STABILIZATION AND RECON-**
 11 **STRUCTION.**

12 (a) PROMOTION PURPOSES.—Service in stabilization
 13 and reconstruction operations overseas, membership in the
 14 Response Readiness Corps under section 61(c) of the
 15 State Department Basic Authorities Act of 1956 (as
 16 added by section 7), and education and training in the
 17 stabilization and reconstruction curriculum established
 18 under section 701(g) of the Foreign Service Act of 1980
 19 (as added by section 8) should be considered among the
 20 favorable factors for the promotion of employees of Execu-
 21 tive agencies.

22 (b) PERSONNEL TRAINING AND PROMOTION.—The
 23 Secretary and the Administrator should take steps to en-
 24 sure that, not later than 3 years after the date of the en-
 25 actment of this Act, at least 10 percent of the employees

1 of the Department and the United States Agency for
2 International Development in the United States are mem-
3 bers of the Response Readiness Corps or are trained in
4 the activities of, or identified for potential deployment in
5 support of, the Response Readiness Corps. The Secretary
6 should provide such training as needed to Ambassadors
7 and Deputy Chiefs of Mission.

8 (c) OTHER INCENTIVES AND BENEFITS.—The Sec-
9 retary and the Administrator may establish and admin-
10 ister a system of awards and other incentives and benefits
11 to confer appropriate recognition on and reward any indi-
12 vidual who is assigned, detailed, or deployed to carry out
13 stabilization or reconstruction activities in accordance with
14 this Act.

15 **SEC. 10. AUTHORITIES RELATED TO PERSONNEL.**

16 (a) CONTRACTING AUTHORITY.—

17 (1) IN GENERAL.—The Secretary, or the Ad-
18 ministrator with the concurrence of the Secretary,
19 may enter into contracts to procure the services of
20 nationals of the United States (as defined in section
21 101(a)(22) of the Immigration and Nationality Act
22 (8 U.S.C. 1101(a)(22)) or aliens authorized to be
23 employed in the United States as personal services
24 contractors for the purpose of carrying out this Act,
25 without regard to Civil Service or classification laws,

1 for service in the Office of the Coordinator for Re-
2 construction and Stabilization or for service in for-
3 eign countries to assist in stabilizing and recon-
4 structing a country or region that is at risk of, in,
5 or is in transition from, conflict or civil strife.

6 (2) NOT EMPLOYEES.—Individuals performing
7 services under contracts described in paragraph (1)
8 shall not by virtue of performing such services be
9 considered to be employees of the United States
10 Government for purposes of any law administered by
11 the Office of Personnel Management (except that
12 the Secretary or Administrator may determine the
13 applicability to such individuals of any law adminis-
14 tered by the Secretary or Administrator concerning
15 the performance of such services by such individ-
16 uals).

17 (b) EXPERTS AND CONSULTANTS.—The Secretary
18 and the Administrator may, to the extent necessary to ob-
19 tain services without delay, employ experts and consult-
20 ants under section 3109 of title 5, United States Code,
21 for the purpose of carrying out this Act, without requiring
22 compliance with any otherwise applicable requirements for
23 that employment as the Secretary or Administrator may
24 determine, except that such employment shall be termi-

1 nated after 60 days if by that time the applicable require-
 2 ments are not complied with.

3 (c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—

4 The Secretary is authorized to accept details or assign-
 5 ments of employees of Executive agencies, members of the
 6 uniformed services, and employees of State or local gov-
 7 ernments on a reimbursable or nonreimbursable basis for
 8 the purpose of carrying out this Act. The assignment of
 9 an employee of a State or local government under this sub-
 10 section shall be consistent with subchapter VI of chapter
 11 33 of title 5, United States Code.

12 (d) DUAL COMPENSATION WAIVER.—

13 (1) ANNUITANTS UNDER CIVIL SERVICE RE-
 14 TIREMENT SYSTEM OR FEDERAL EMPLOYEES RE-
 15 TIREMENT SYSTEM.—Notwithstanding sections
 16 8344(i) and 8468(f) of title 5, United States Code,
 17 the Secretary or the head of another executive agen-
 18 cy, as authorized by the Secretary, may waive the
 19 application of subsections (a) through (h) of such
 20 section 8344 and subsections (a) through (e) of such
 21 section 8468 with respect to annuitants under the
 22 Civil Service Retirement System or the Federal Em-
 23 ployees Retirement System who are assigned, de-
 24 tailed, or deployed to assist in stabilizing and recon-
 25 structing a country or region that is at risk of, in,

1 or is in transition from, conflict or civil strife during
2 the period of their reemployment.

3 (2) ANNUITANTS UNDER FOREIGN SERVICE RE-
4 TIREMENT AND DISABILITY SYSTEM OR FOREIGN
5 SERVICE PENSION SYSTEM.—The Secretary may
6 waive the application of subsections (a) through (d)
7 of section 824 of the Foreign Service Act (22 U.S.C.
8 4064) for annuitants under the Foreign Service Re-
9 tirement and Disability System or the Foreign Serv-
10 ice Pension System who are reemployed on a tem-
11 porary basis in order to be assigned, detailed, or de-
12 ployed to assist in stabilization and reconstruction
13 activities under this Act.

14 (e) INCREASE IN PREMIUM PAY CAP.—The Sec-
15 retary, or the head of another executive agency as author-
16 ized by the Secretary, may compensate an employee de-
17 tailed, assigned, or deployed to assist in stabilizing and
18 reconstructing a country or region that is at risk of, in,
19 or is in transition from, conflict or civil strife, without re-
20 gard to the limitations on premium pay set forth in section
21 5547 of title 5, United States Code, to the extent that
22 the aggregate of the basic pay and premium pay of such
23 employee for a year does not exceed the annual rate pay-
24 able for level II of the Executive Schedule.

1 (f) EXTENSION OF CERTAIN FOREIGN SERVICE BEN-
2 EFITS.—The Secretary, or the head of another executive
3 agency as authorized by the Secretary, may extend to any
4 individuals assigned, detailed, or deployed to carry out sta-
5 bilization and reconstruction activities in accordance with
6 this Act, the benefits or privileges set forth in sections
7 412, 413, 704, and 901 of the Foreign Service Act of 1980
8 (22 U.S.C. 972, 22 U.S.C. 3973, 22 U.S.C. 4024, and
9 22 U.S.C. 4081) to the same extent and manner that such
10 benefits and privileges are extended to members of the
11 Foreign Service.

12 (g) COMPENSATORY TIME.—Notwithstanding any
13 other provision of law, the Secretary may, subject to the
14 consent of an individual who is assigned, detailed, or de-
15 ployed to carry out stabilization and reconstruction activi-
16 ties in accordance with this Act, grant such individual
17 compensatory time off for an equal amount of time spent
18 in regularly or irregularly scheduled overtime work. Credit
19 for compensatory time off earned shall not form the basis
20 for any additional compensation. Any such compensatory
21 time not used within 26 pay periods shall be forfeited.

22 (h) ACCEPTANCE OF VOLUNTEER SERVICES.—

23 (1) IN GENERAL.—The Secretary may accept
24 volunteer services for the purpose of carrying out

1 this Act without regard to section 1342 of title 31,
2 United States Code.

3 (2) TYPES OF VOLUNTEERS.—Donors of vol-
4 untary services accepted for purposes of this section
5 may include—

6 (A) advisors;

7 (B) experts;

8 (C) consultants; and

9 (D) persons performing services in any
10 other capacity determined appropriate by the
11 Secretary.

12 (3) SUPERVISION.—The Secretary shall—

13 (A) ensure that each person performing
14 voluntary services accepted under this section is
15 notified of the scope of the voluntary services
16 accepted;

17 (B) supervise the volunteer to the same ex-
18 tent as employees receiving compensation for
19 similar services; and

20 (C) ensure that the volunteer has appro-
21 priate credentials or is otherwise qualified to
22 perform in each capacity for which the volun-
23 teer's services are accepted.

24 (4) APPLICABILITY OF LAW RELATING TO FED-
25 ERAL GOVERNMENT EMPLOYEES.—A person pro-

viding volunteer services accepted under this section shall not be considered an employee of the Federal Government in the performance of those services, except for the purposes of the following provisions of law:

(A) Chapter 81 of title 5, United States Code, relating to compensation for work-related injuries.

(B) Chapter 11 of title 18, United States Code, relating to conflicts of interest.

(5) APPLICABILITY OF LAW RELATING TO VOLUNTEER LIABILITY PROTECTION.—

(A) IN GENERAL.—A person providing volunteer services accepted under this section shall be deemed to be a volunteer of a nonprofit organization or governmental entity, with respect to the accepted services, for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) INAPPLICABILITY OF EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—Section 4(d) of such Act (42 U.S.C. 14503(d)) does not apply with respect to the liability of a person with respect to services of such person that are accepted under this section.

1 (i) AUTHORITY FOR OUTSIDE ADVISORS.—

2 (1) IN GENERAL.—The Secretary may establish
3 temporary advisory commissions composed of indi-
4 viduals with appropriate expertise to facilitate the
5 carrying out of this Act.

6 (2) INAPPLICABILITY OF FACA.—The require-
7 ments of the Federal Advisory Committee Act (5
8 U.S.C. App.) shall not apply to the activities of a
9 commission established under this subsection.

10 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated for each fiscal
12 year, \$80,000,000 for personnel, education and training,
13 equipment, and travel costs for purposes of carrying out
14 this Act and the amendments made by this Act (other
15 than the amendment made by section 5).

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